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DATE: May 1, 2006
FILE NO: ZIMR/0016
TO: USPTO
FAX NO: 571-273-8300
COMPANY: USPTO
FROM: B. Todd Patterson
PAGE(S) with cover: 9
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT

TITLE: FAST-RELEASE ADMINISTRATION FORM WITH SLIGHTLY
SOLUBLE ACTIVE INGREDIENT
U.S. SERIAL NO.: 10/529,284
FILING DATE: August 18, 2005
INVENTOR: Mayer, et al.
EXAMINER: Unknown
GROUP ART UNIT: 1713
CONFIRMATION NO.: 2008

CONFIDENTIALITY NOTE

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434814_1.DOC

PATENT
Att'y. Dkt. No. ZIMR/0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mayer, et al.

Serial No.: 10/529,284

Filed: August 18, 2005

Confirmation No.: 2008

For: **FAST-RELEASE
ADMINISTRATION FORM
WITH SLIGHTLY SOLUBLE
ACTIVE INGREDIENT**

Group Art Unit: 1713

Examiner: Unknown

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Commissioner for Patents
P.O. Box 1450
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Dear Sir:

**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by the Examiner, namely, fax number 571-273-8300 to the attention of the named Examiner, on the date below.

Date 5/1/06

B. J. Patterson
Signature

REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT

The Filing Receipt for the above-referenced application contains an error regarding the Power of Attorney. The Power of Attorney should be as follows:

**B. Todd Patterson
Keith M. Tackett
Donald Verplancken
Eddy Song
William B. Patterson**

Registration No. 37,906
 Registration No. 32,008
 Registration No. 33,217
 Registration No. 43,144
 Registration No. 34,102

Attached is a copy of the Filing Receipt with the above change noted thereon. Also enclosed is a copy of the Combined Declaration and Power of Attorney as previously submitted. Please correct this error or notify the applicants of the reasons for denying the request.

Respectfully submitted,



B. Todd Patterson
Registration No. 37,906
PATTERSON & SHERIDAN, L.L.P.
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Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Agent for Applicant(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/529,284	08/18/2005	1713	1280	ZIMR/0016		25	3

Moser Patterson & Sheridan
Zimmermann & Partner
Patent Counsel Suite 1500
3040 Post Oak Boulevard
Houston, TX 77056

CONFIRMATION NO. 2008

FILING RECEIPT



OC000000017819013

Date Mailed: 01/12/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jorg Mayer, Berlin, GERMANY;
Karsten Cremer, Berlin, GERMANY;
Lutz Krohne, Berlin, GERMANY;

[REDACTED]
Barden Patterson--37906

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/10630 09/24/2003

Foreign Applications

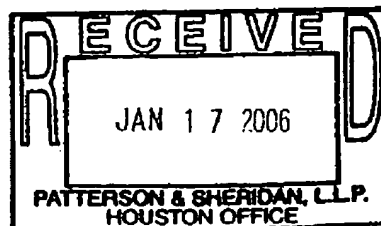
GERMANY 10244504.4 09/25/2002

Projected Publication Date: 04/20/2006

Non-Publication Request: No

Early Publication Request: No

Title



Fast-release administration form with slightly soluble active ingredient

Preliminary Class

524

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

ATTY. DKT. NO. ZIMR/0016

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FAST-RELEASE ADMINISTRATION FORM WITH
SLIGHTLY SOLUBLE ACTIVE INGREDIENT****SPECIFICATION IDENTIFICATION**

The specification of which:

- ☐ is attached hereto
☐ was filed on _____, under Serial No. _____, executed on even date herewith; or
☐ Express Mail No.(as Serial No. not yet known)
and was amended on _____ (if applicable)
☒ was described and claimed in PCT International Application No. PCT/EP2003/010630
Internationally filed on September 24, 2003 and as amended under PCT Article 34 on
June 18, 2004.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with

Title 37, Code of Federal Regulations, 1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. 119)

I hereby claim foreign priority benefits under Title 35, United States Code, 119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- ☐ No such applications have been filed.
- ☒ Such applications have been filed as follows:

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. 119

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
DE	102 44 504.4	September 25, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:
Application No:
Filing date:

C. U.S. Provisional Application filed within 12 months prior to this application

<u>Serial No.</u>	<u>Filing Date</u>
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PRIORITY CLAIM (35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, 120, of any United States application(s) or PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- ☒ No such applications have been filed
- ☐ Such applications have been filed, as follows:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>	<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>
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POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Todd Patterson
Raymond R. Moser, Jr.
Keith M. Tackett
Donald Verplancken
Eddy Song
William B. Patterson

Registration No. 37,906
Registration No. 34,682
Registration No. 32,008
Registration No. 33,217
Registration No. 43,144
Registration No. 34,102

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Houston, TX 77056

Direct telephone calls to:

B. Todd Patterson
MOSER, PATTERSON & SHERIDAN, L.L.P.
(713) 623-4844

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: **Jörg MAYER**

Inventor's signature: 

Date: 20.04.2005

Residence: Burlacher Str. 23, 10715 Berlin, GERMANY

Post Office Address: Same as above

Country of Citizenship: DE

Full name of sole or first inventor: **Karsten CREMER**

Inventor's signature: 

Date: 24.04.05

Residence: Zelterstrasse 10, 10439 Berlin, GERMANY

Post Office Address: Same as above

Country of Citizenship: DE

Full name of sole or first inventor: **Lutz KRÖHNE**

Inventor's signature: 

Date: 21.04.2005

Residence: Dunckerstr. 49, 10439 Berlin, GERMANY

Post Office Address: Same as above

Country of Citizenship: DE

(Declaration ends with this page)